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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,235	03/31/2004	Abbas Amirichimeh	1875.5630000	3878
26111	7590	08/21/2007	EXAMINER	
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			BOCURE, TESFALDET	
		ART UNIT	PAPER NUMBER	
		2611		
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		08/21/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/813,235	AMIRICHIMEH ET AL.
	Examiner	Art Unit
	Tesfaldet Bocure	2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 31 March 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-18 and 54-62 is/are allowed.
- 6) Claim(s) 19-28,31 and 32 is/are rejected.
- 7) Claim(s) 29,30 and 33-53 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/31/04 & 4/28/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-62 are pending in the application.

Information Disclosure Statement

2. The Information Disclosure Statements received on March 3, 2004 and April 28, 2005 have received and the initialed copies (two pages) of the IDSs are attached with this correspondence.

Specification

3. The abstract of the disclosure is objected to because the title of the invention, "SYSTEM AND METHOD OF PHASE-LOCKING A TRANSMIT CLOCK SIGNAL PHASE WITH A RECEIVE CLOCK SIGNAL PHASE," in the abstract of the disclosure should be deleted. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 19,20,21-25, 31 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Sutardja et al., **Sutardja** hereinafter (US Patent Publication number US 2005/0034009).

Sutardja teaches a transceiver unit (100 fig.2) for receiving and transmitting data to and from HOST (140) and DEVICE (150) having a clock synchronizer for synchronizing between the transmitter and receiver comprising: the receiving section of the transceiver unit (120 as in claims 21) having a clock recovering circuit for phase synchronizing the clock signal of the received clock to that of the internally generated clock (see input from RX to the PD unit 110); the receiver unit adjusting the received clock and generating a control signal (122), claimed received clock signal data in claims 19 and 31, to the section of the transceiver (see lower part of the transceiver's clock adjustment section in fig. 2); and the receiving section adjusting its clock according to the received clock control signal 122 as in claims 19-21,31 and 32.

Further to claims 22 and 23, **Sutardja** also teaches that the first transceiver located on the same clock, claimed broad lane (see first RX and TX for example) as in claim 22; and first transceiver 102 having a transmitter in separate board and second transceiver 104 having a transmitter in a different board as in claim 23.

Further to claim 24, **Sutardja** also teaches as having first and second transceiver units (102 and 104).

The first and second transceiver units (102 and 104) are located in the same architecture 100 and reads on the broadly claimed substrate in claim 25.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sutardja et al., Sutardja hereinafter** (US Patent Publication number US 2005/0034009) in view of **Casper et al. Casper hereinafter** (US patent Publication number 2003/0059036).

Sutardja teaches a transceiver unit (100 fig.2) for receiving and transmitting data to and from HOST (140) and DEVICE (150) having a clock synchronizer for synchronizing between the transmitter and receiver comprising: the receiving section of the transceiver unit (120) having a clock recovering circuit for phase synchronizing the

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clock signal of the received clock to that of the internally generated clock (see input from RX to the PD unit 110); the receiver unit adjusting the received clock and generating a control signal (122), claimed received clock signal data in claims 19 and 31, to the section of the transceiver (see lower part of the transceiver's clock adjustment section in fig. 2); and the receiving section adjusting its clock according to the received clock control signal 122 as in claims 19 and 31.

What **Sutardja** fails to teach is that the first and second transceiver units having a first and second substrate as in claim 26, a common board for the first and the second transceiver units as in claim 28.

Casper for the endeavor as the instant application and that of **Sutardja** teaches a transceiver units (110 and 130 and I/O in fig. 6) having a corresponding transmitter and receiver comprising a means for synchronizing the transmitting signal with that of the receiving signal (see [00500]), wherein the I/O units in the transceiver units are located in separate substrate 606 and 612 respectively as in claim 26 and having a common board 604 as in claim 27.

Therefore, it would have been obvious to one of an ordinary skill in the art to use a separate substrate and common board of **Casper** in the system **Sutardja** in order to minimize any leakage of electrical signal from one transceiver to the other transceiver at the time the invention was made.

Even though **Casper** does not show that the I/O units are disposed on separate boards, claimed first and second boards as in claim 28, it is obvious design choice to

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dispose the transceiver units in separate boards depending on the size of the circuitry at the time the invention was made.

Allowable Subject Matter

9. Claims 1-18 and 54-62 are allowed.
10. Claims 29,30 and 33-53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US patent publication number 2004/0098634 issued to Zerbe et al. disclose a transmission system having a plurality of transceiver units, wherein the transmitter of one of the transceiver unit is synchronized with the receiving unit of the transceiver..

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tesfaldet Bocure whose telephone number is (571) 272-3015. The examiner can normally be reached on Mon-Thur (7:30a-5:00p) & Mon.-Fri (7:30a-5:00p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammed H. Ghayour can be reached on (571) 272-3021. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.Bocure

Tesfaldet Bocure
Primary Examiner
Art Unit 2611

